IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2132 OF 2002

IN

FIRST APPEAL STAMP NO. 34279 OF 2001

Union of India ..Appellants

versus

Ramchandra H. Malusare & Anr. ..Respondents

Mr. A. N. Samant for the Appellants.

Mr. G. J. Mohan Rao for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 17TH OCTOBER,2005

P.C. :

1. Heard counsel for the Appellants and the Respondents.

2. Civil Application No. 2132 of 2002 is for condonation of delay of 44 days in filing the Appeal. By consent, delay is condoned. Civil Application for condonation of delay, is allowed and disposed of.

3. A short question is involved and raised in this matter which can be decided finally at the

stage of admission itself. Admit.

4. Learned Counsel for the appellants contended that the interest should be made payable from the date of the order till the date of deposit. To this suggestion, there is no objection. Therefore, I pass the following order:

ORDER

. Appeal is partly allowed.

. Impugned judgment is modified to the extent that the appellants to pay interest from the date of the order till the date of deposit. No order as to costs.

. Appeal disposed of accordingly with Civil Applications.

17.10.2005 (D.G. DESHPANDE, J.)